



**MIAMI-DADE COUNTY
FINAL OFFICIAL MINUTES
Naranja Lakes Community Redevelopment
Agency (CRA)**

Board of County Commissioners

South Dade Government Center
Room 203
10710 S.W. 211 Street
Miami, Florida

Meeting Date:

February 13, 2006
7:00 p.m.

Prepared by:

Harvey Ruvin, Clerk
Board of County Commissioners

Kay Madry Sullivan, Director
Clerk of the Board Division

Reporter:

Jill Thornton, Commission Reporter
(305) 375-2505



**CLERK'S SUMMARY AND OFFICIAL MINUTES
NARANJA LAKES
COMMUNITY REDEVELOPMENT AGENCY (CRA)
FEBRUARY 13, 2006**

The Naranja Lakes Community Redevelopment Agency (CRA) Board met in the South Dade Government Center, Room 203, 10710 S.W. 211 Street, Miami, Florida at 7:00 p.m., February 13, 2006, there being present upon roll call Mr. Rene Infante, Mr. Daniel Lipe, Mr. Stuart Archer and Chairperson Nina Betancourt. (Mr. Kenneth Forbes was late), (Mr. Parsuram Ramkissoon was absent); Mr. Jurgen Teintze, Tax Increment Financing (TIF) Coordinator, Office of Strategic Business Management; Mr. Alberto Gonzalez, Budget Analyst/CRA Coordinator, Office of Strategic Business Management; and Deputy Clerk Jill Thornton.

I. Call to Order

Chairperson Betancourt called the CRA Board meeting to order at 7:12 p.m. She noted that prior to tonight's meeting, the CRA members underwent and completed the Ethics Training Workshop, as required by the County Commission.

II. Roll Call

Upon roll call, and a quorum being present, the Board proceeded to consider tonight's agenda.

III. Approval of the Minutes

It was moved by Mr. Archer that the minutes of the January 23, 2006 meeting be approved. This motion was seconded by Mr. Lipe, and upon being put to a vote, passed unanimously by those members present.

IV. Approval of Agenda

Chairperson Betancourt requested a discussion item regarding her participation in a University of Miami workshop be added to tonight's agenda under agenda item "New Business."

It was moved by Mr. Archer that the agenda for tonight's meeting (2/13) be approved, as amended to include the discussion item requested by Chairperson Betancourt. This motion was seconded by Mr. Infante, and upon being put to a vote, passed unanimously by those members present.

Open Forum for Public Comments

Chairperson Betancourt opened the floor for public comments. The public hearing was closed after no one appeared.

V. New Business

Update on Mandarin Lakes

Mr. Paul Herman, Development Project Manager, D.R. Horton Builders, provided an update on the sales of Mandarin Lakes Homes. He noted that as of today's date, 66 fifty-foot single family homes, 125 town homes and 84 forty-foot single family homes were sold. Of those sold, he noted 5 fifty-foot single family homes, 23 town homes and 20 forty-foot single family homes had closed. He further noted that permits had been approved for 398 units.

Mr. Herman displayed to the CRA members, an aerial picture of the project's Phase I, built-out portion (Southeast portion), depicting the locations of all the closings.

Update on Infrastructure Project / Legal Report

Mr. John Ritsema, Project Coordinator, provided a status report on Sea Pines Community's infrastructure. He noted he toured the Sea Pines community with Mr. Dennis Whitaker, Secretary of the Sea Pines Homeowners Association, to look for needed repairs to infrastructure damaged by hurricanes and neglected maintenance. He stated he observed drains filled with sand to the grate; structural damage by Hurricane Andrew that had never been repaired and no visible street signs, which created additional problems for emergency vehicles. Mr. Ritsema noted the Sea Pines Homeowners Association had authority to require homeowners to repair their units, but this often resulted in property liens when owners did not comply with repair notices and long delays before repairs would take place.

Chairperson Betancourt stated that even if liens were placed on properties and subsequently ceased, the costs of repairing units would probably exceed the current market values.

Mr. Ritsema noted he spoke with Director Zafar Ahmed, Community Development Division, Office of Community and Economic Development (CED), regarding the availability of funding for needed repairs. He noted Mr. Ahmed was familiar with the neighborhood and advised him that the County had provided funding for such repair in the past; however, the majority of the existing property owners were investors who did not reside on the properties and were not qualified for funding for structural damage. Mr. Ritsema stated he did not foresee a major expense for drainage cleaning. He recommended the drains be cleaned first to determine which ones needed repairing.

Discussion ensued between CRA members and representatives of the Homeowners Association regarding whether the County had provided funding for infrastructure improvements in the past.

Chairperson Betancourt spoke in support of cleaning up a neighborhood that would impact the CRA's primary development project, but was opposed to creating a windfall for investors who failed to make the necessary improvements to their properties.

In response to questions regarding number of owner-occupied units in the Sea Pines Community and the number of units in disrepair, Mr. Christians noted Sea Pines Community consisted of 272 units with approximately fifty percent of units redeveloped by investors and sold to homeowner occupants and approximately twenty units were in need of repair. He noted newer investors were making considerable improvements built to standard with intent to sell to owner occupants.

Mr. Lipe questioned whether the Sea Pines Homeowners Association could support maintaining private roadways and drains in the future if the CRA approved funding for infrastructure repair.

Mr. Christians noted as more units become owner occupied, the Homeowners Association would generate more association fees, enabling funding for maintaining the infrastructure.

Chairperson Betancourt asked if the CRA entered into an agreement with Sea Pines Homeowners Association, could the CRA impose certain conditions or set aside reserves for maintaining infrastructure.

Mr. Steven Zelkowitz, Legal Counsel for the CRA, advised the CRA could require certain reserves to maintain infrastructure, however, the CRA would need to implement a program that was available to all private communities within its jurisdiction, which could set a precedent.

Discussion ensued between CRA members and Representatives of Sea Pines Homeowners Association regarding the amount charged for Association fees and the number of units that were current on fees.

Mr. Archer suggested considering two approaches, either repair roadways to County standards and turn them over to the County, or clean out the inverted drains and rebuild them properly. He pointed out that improvements to the area would make the community more appealing to homeowners than to renters.

Mr. Zelkowitz noted the CRA had several options for establishing criteria for a private community improvement program that could be made available to a wider range of homeowners.

Mr. Ritsema pointed out that should roads be improved and turned over to the County, a right-of-way problem existed concerning off-sets and roads constructed with inverted crowns draining water to the center of the roadways that is not permitted on County maintained roads. He noted the CRA would need to obtain the rights-of-way for these roads from current property owners and reconstruct them. He further noted the asphalt could be improved with minimal costs but the drains would need to be cleaned out and the swales maintained.

Chairperson Betancourt expressed the need to develop a program that would give equal access to private communities seeking support from the CRA.

Following discussion, it was moved by Mr. Archer that staff develop an outline identifying criteria for applicants seeking support from the CRA and that it provide equal opportunity to private communities within the CRA district. This motion was seconded by Mr. Infante for discussion.

Discussion ensued among CRA members regarding suggested criteria needed for a program.

Mr. Teintze suggested there be more than one type of program to address facade, infrastructure and beautification. He also suggested the Board consider the most viable criteria along with its budget.

Chairperson Betancourt stated it was better to limit criteria to health and safety issues first and address landscaping at a later time in order to prevent diluting the program's purpose.

Mr. Archer suggested including the possibility of connecting drain lines at SW 280th Street to the County's main drains.

Further discussion ensued regarding needed criteria for the program and application.

Following discussion, the CRA Board proceeded to vote on the foregoing motion. Upon being put to a vote, the motion passed unanimously by those members present.

Legal Report

Mr. Archer expressed appreciation to all parties involved for completing construction of the roadway portion at SW 280th Street and 140th Avenue, which was a major concern to the residents of the community.

Mr. Ritsema provided an update on the infrastructure project, noting the roadway issue referred to by Mr. Archer was resolved and the developer was working with Solo Construction to initiate landscaping, irrigation and complete final grading and asphalt of these roads. He further noted street lighting was approved for SW 140th Avenue and FPL would replace existing street lights with newer, decorative ones. He stated the work performed for installing water and sewer lines as well as drainage systems at SW 275th Street between 140th Avenue and 143rd Avenue and at Canal Street was satisfactory, but this project's completion was pending the settlement of legal issues involving the contractor and a change order by Solo Construction.

Mr. Ritsema noted the developer received bids for construction of the plaza building located at the SW 140th Avenue and 276 Street and that the lowest bidder, ELCI, was in the process of obtaining a permit. He also noted this contractor would provide a joint-performance bond covering both the developer and the contractor and that construction would begin in April 2006, and should be completed within 150 days.

Regarding Phase II of the Mandarin Lakes project, Mr. Ritsema noted engineers were asked to coordinate with Department of Park and Recreation for a future project to construct a Library and Park, but this process could delay the approval of the Mandarin Lakes plat. He stated Public Works Department had been asked to require a developer's bond for this subdivision.

Pursuant to the CRA's request made at last month's CRA meeting for recommendations on the performance bond issue, Mr. Zelkowitz noted he prepared a report that included the following recommendations: 1) that the County renegotiate with the developer to provide the bond and discuss any consequences; 2) that the developer consider partnering with another contractor to allow the developer bonding capacity; or 3) that the work be assigned to another contractor/developer who could provide the bond. Mr. Zelkowitz noted that legally, he supported the requirement in the development agreement that the developer provide the performance bond.

Mr. Zelkowitz noted an agreement had been reached during a meeting with Assistant County Manager Tony Crapp, Assistant County Attorney Glen Saks, Developer George DeGuardiola and representatives of Naranja Lakes Construction and D.R. Horton Builders, wherein the County would pay the developer any outstanding amount owed for work performed once a formal payment request was submitted.

Mr. Teintze clarified the agreement included the assurance that the construction company would provide the required bond for all work performed retroactively to the date work began, in exchange

for the \$800,000 payment. He noted the exchange would take place on Wednesday of the coming week, and all release of liens would be exchanged at the same time.

Mr. Zelkowitz stated the developer was working with a bonding company in an effort to provide the needed bond and had agreed to provide a performance bond going forward, pursuant to the Development Agreement. He noted the County had decided to place the developer in default for failure to provide the bond in order to ensure that the developer was committed to provide the bond within a certain time frame. He stated that for legal reasons, the County would wait until after payment was made before sending a default letter to the developer.

In response to Chairperson Betancourt's question regarding the exchange, Mr. Teintze noted the payment of \$800,000 would cover payment to all subcontractors and the bond would be retroactive to the time when work commenced. He noted this would be the last payment by the County without the developer listed as principle on the bond.

Assistant County Attorney Glenn Saks advised that the County had not committed to a default action but both developer and contractor were aware the County would send a default letter if the bond was not provided. He noted that without a performance bond by the developer, the County was setting itself up for more liability and would not make anymore payments unless the bond was provided.

Mr. Teintze stated the developer was seeking partners to purchase the proper form of bond and would notify the County within a few days if this was feasible. He noted the developer also had the option to provide a joint bond.

Mr. Forbes questioned what recommendations were proffered by legal counsel to protect the CRA's interest during this process.

Mr. Zelkowitz noted this was a serious concern for the CRA because it placed the County at risk and the CRA would be liable for the money paid out by the County. He recommended the CRA wait to see whether the bond requirement was fulfilled since discussions were ongoing with contractor and bonding companies before taking any action. He suggested a default letter be sent to the developer on behalf of the CRA if the County placed the developer in default.

Following discussion, it was moved by Mr. Forbes that the CRA authorize its legal counsel, Mr. Zelkowitz, to send a default letter to the developer on behalf of the CRA, in the event the County placed the developer in default. This motion was seconded by Mr. Infante, and upon being put to a vote, passed unanimously by those members present.

Mr. Archer requested a status report be provided to CRA members on what transpired at the upcoming meeting to exchange the payment for bond.

Mr. Zelkowitz advised he would follow up by contacting each CRA member to provide a status report of that meeting.

Mr. Teintze noted the required bond was not related to work already performed on SW 140th Avenue, but with SW 143rd Avenue, SW 276 Street, and new roads where work had commenced and then subsequently stopped.

Mr. Zelkowitz noted the developer provided a bond for the vertical construction, pursuant to the development agreement.

Discussion / Approval of Resolution for 2nd Loan

Resolution No. 2006-02

RESOLUTION OF THE NARANJA LAKES COMMUNITY REDEVELOPMENT AGENCY DECLARING THAT THE FIRST BENCHMARKS STIPULATED IN THE REDEVELOPMENT AGREEMENT WITH RESPECT TO THE NARANJA LAKES RESIDENTIAL DEVELOPMENT HAVE BEEN MET BY THE DEVELOPER; AFFIRMING CURRENT BUDGET ALLOWS THE USE OF TAX INCREMENT REVENUES FOR COST OF CONSTRUCTION; REQUESTING THAT THE COUNTY BORROW AN ADDITIONAL \$5,000,000 ON ITS BEHALF FROM THE SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION FOR THE COMPLETION OF PHASE 1; AGREEING TO REPAY THE COUNTY FROM TAX INCREMENT REVENUES; AND REAFFIRMING INTENT TO ISSUE TAX INCREMENT REVENUE BONDS TO RETIRE COUNTY LOANS

Mr. Teintze noted the foregoing resolution stipulated in part that certain benchmarks in phase I of the Naranja Lakes project had been met in order for the County to secure an additional \$5,000,000; and stipulated that CRA Tax Increment Revenues would be pledged to cover outstanding costs in the interim of securing bond proceeds for the 2nd loan.

Mr. Forbes expressed concern that the foregoing resolution did not reference an ordinance that approved the CRA receive \$20 million from time to time

Responding to Mr. Archer's question whether Legal Counsel had reviewed this resolution, Mr. Zelkowitz advised that this resolution was consistent with the original one.

Assistant County Attorney Saks pointed out the foregoing proposed resolution could be amended to include a "where as" clause.

It was moved by Mr. Archer that the CRA accept the foregoing proposed resolution with an amendment to include the following language: WHEREAS, the County previously enacted Ordinance 04-115 which authorized loans, from time to time, by the County from the Sunshine State Governmental Financing Sunshine Commission ("Sunshine Commission") in an aggregate amount not to exceed \$120,000,000 of which \$20,000,000 were for the purpose of paying the cost of, or reimbursing the Governmental Unit for the cost of, constructing certain capital infrastructure improvements for the Naranja Lakes Community Redevelopment Agency and subject to the adoption by the Board of a loan resolution for each loan which approves the loan, the project and related loan documents (the "Loan Resolution"). This motion was seconded by Mr. Forbes, and upon being put to a vote, passed unanimously by those members present.

Security Updates

Mr. Teintze noted he met with Major Ramirez to discuss options for a security package and that Major Ramirez understood he needed to meet with the CRA concerning this issue but was currently on vacation leave.

Lieutenant Sheree DiBernardo, Miami Dade County Police Department, Cutler Ridge District, appeared before the CRA and noted the Department had implemented special task forces within the CRA district and "enhanced enforcement" details at least two nights a week, targeting particular areas. She stated that since the last CRA meeting, the Department implemented approximately seven operations resulting in approximately thirty arrests. She also stated the Department planned to establish crime watches, identify gang members, target probation/parole violators committing new crimes and was trying to identify and remove criminals living in Section 8 housing within the Naranja Lakes area.

Chairperson Betancourt asked whether the Department had worked with the Housing Authorities and other departments to facilitate identification of criminals living in Section 8 housing. She noted the need for a database that provided information and flagged criminal suspects living in the Cutler Ridge District who received vouchers or governmental subsidies.

Mr. Forbes noted the Chief of Police had recently visited the area and called for community leaders to join in discussions on the crime issue and get input on what could be done. He stated the Chief made it known that the Police Department was doing its job by making arrests, but more community involvement was needed or possibly a partnership strategy between community and police to address intervention and prevention.

Lieutenant DiBernardo stated she hoped to provide the CRA with more concrete information after attending a departmental meeting in the coming week and that she thought this meeting would address several strategies.

FDOT Report / Resolution

Mr. Teintze noted the report he was presenting tonight for the CRA's consideration was the Florida Department of Transportation (FDOT) report summarized by Mr. Len Anthony at last month's (1/23) CRA meeting.

Mr. Archer asked Mr. Anthony if there were any additional recommendations for the CRA to consider.

Mr. Leonard (Len) Anthony, South Bay Community Councilman (15), appeared before the CRA and recommended the Board approve the recommendations noted in the FDOT report and make known the CRA's desire to participate in the decision-making process concerning the reconstruction of the US 1 Corridor.

It was moved by Mr. Archer that the CRA be apprised of any information concerning the reconstruction of the US 1 Corridor located within the CRA district. This motion was seconded by Mr. Infante for discussion.

Mr. Infante noted other issues to consider, such as SW 137th Avenue, which was not a through road and posed an evacuation problem.

Mr. Anthony stated the CRA needed to consider several issues that impacted the CRA district, such as, the FDOT had not been informed of the absence of water and sewer utilities to service a large section of the road and the lack of lateral sewer connections to service private land owners.

Mr. Forbes noted a community meeting had transpired with Capital Improvement and Miami-Dade Transit that addressed the FDOT plan and a request was made at that meeting to place sewer laterals between SW 262 Street and SW 304 Street during construction. He stated FDOT informed that it placed sewer mains only, and the request for laterals needed to be made through Miami-Dade Water and Sewer Department.

It was moved by Mr. Forbes that staff draft a resolution to notice Miami-Dade Water and Sewer Department of the concerns of the CRA regarding the US 1 Corridor reconstruction plan and the desires of the CRA to include in the plan, that water and sewer laterals be constructed for each tax folio property along the US 1 Corridor, specifically between SW 262 Street and SW 304th Street; and that SW 137th Avenue, north of SW 240th Street, be made a through road for evacuation purposes. This motion was seconded by Mr. Infante for discussion.

Responding to Mr. Archer's comments concerning the report summarized by Mr. Anthony and the CRA's concerns, Chairperson Betancourt suggested the CRA concentrate on critical concerns that directly affect the area's economic development.

Mr. Forbes offered a friendly amendment that the CRA accept and forward to the BCC, the FDOT report presented by Mr. Anthony, as part of the foregoing motion.

The CRA proceeded to vote on the foregoing motion as amended. Upon being put to a vote, the motion passed unanimously by those members present.

U of M Workshop

Chairperson Betancourt advised she attended a two-day seminar conducted by the University of Miami, School of Architect relating to real estate law on negotiation and development, eminent domain, the establishment of CRA's and a review of a case study on the North Miami CRA. She stated she notified Mr. Teintze of her desire to participate in this workshop on behalf of the NLCRA and requested she be reimbursed for the \$550 tuition. Chairman Betancourt indicated she would provide the NLCRA members with a written report summarizing all issues discussed and provide copies of the literature distributed during the seminar.

Mr. Zelkowitz noted he served as General Counsel to the North Miami CRA and was familiar with this seminar.

It was moved by Mr. Forbes that Chairperson Betancourt be reimbursed \$550 for the tuition she paid to attend the University of Miami seminar. This motion was seconded by Mr. Infante, and upon being put to a vote, passed unanimously by those members present.

VI. Old Business

Mr. Teintze advised that Mr. Frank Rollason, Executive Director of City of Miami CRA, held a planning session with the Florida Redevelopment Association (FRA) in the City of Miami concerning the FRA Conference he would host in October 2006, in Miami, Florida. He noted the FRA planned to do most of the work but would look for some participation as they desired to focus on South Dade. He also noted Mr. Rollason was contacted to share his ideas with the NLCRA concerning this conference and address ways for the CRA to get involved and that Mr. Rollason confirmed his availability to attend the March 20, 2006 NLCRA meeting.

Mr. Teintze noted Team Metro provided photos' depicting garbage that was picked up at the unsightly trailer park, addressed at last CRA's meeting.

Mr. Archer expressed concern that the area still appeared unsightly, specifically in the back yards of individual trailers.

Mr. Albert Gonzalez, Budget Analyst/CRA Coordinator, noted he would follow up by contacting Team Metro concerning this matter. He further noted each CRA member would receive a certificate of completion for participating in the Ethics Training Workshop held earlier this evening.

VII. Setting of next Meeting Date

Chairperson Betancourt announced the next NLCRA meeting would be held on March 20, 2006.

VIII. Adjournment

There being no further business to come before this Board, the Naranja Lakes Community Redevelopment Agency meeting was adjourned at 9:27 p.m.



Chairperson Nina Betancourt
Naranja Lakes Community Redevelopment Agency



NARANJA LAKES COMMUNITY REDEVELOPMENT AGENCY

February 13, 2006

Prepared by: Nelson Diaz

EXHIBITS LIST

NO.	DATE	ITEM #	DESCRIPTION
1	2/13/2006		Meeting Agenda
2	2/13/2006		Naranja Lakes CRA Primary Redevelopment Project
3	2/13/2006		Resolution No. 2006-02 of the Naranja Lakes Community Redevelopment Agency
4	2/13/2006		NLCRA FDOT Issues
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NARANJA LAKES COMMUNITY REDEVELOPMENT AGENCY

MEETING OF THE BOARD OF COMMISSIONERS

LOCATION: SOUTH DADE GOVERNMENT CENTER – ROOM 203

10710 S.W. 211TH STREET, MIAMI, FL

TIME: Workshop 5:30PM, Regular Meeting 7:00PM

February 13, 2006

MEETING AGENDA

- | | | |
|--------------|--|---|
| I. | Workshop – Ethics Training | Miami-Dade County
Commission on Ethics |
| II. | Start of Regular Meeting Call to Order | Chair |
| III. | Roll Call | Chair |
| IV. | Approval of the Minutes | Committee |
| V. | Approval of Agenda
Open Forum for Public Comments | |
| VI. | New Business | |
| | Update on Mandarin Lakes | Paul Herman |
| | Update on Infrastructure Project / Legal Report | John Ritsema / Steve Zelcowitz / |
| | Discussion / Approval of Resolution for 2 nd Loan | Staff |
| | Security updates | Staff |
| | FDOT Report / Resolution | Staff |
| VII. | Old Business | |
| VIII. | Setting of next Meeting Date | |
| IX. | Adjournment | |

Zedgar Ahmed

NCLRA-2/13/06
EXHIBIT

Naranja Lakes CRA Primary Redevelopment Project

Actual Capital Expenditures

	May-05	Jun-05	Jul-05	Aug-05	Sep-05	Oct-05	Nov-05	Dec-05	Jan-06	Feb-06
Initial County Infrastructure Contribution	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000
Cumulative Expenditures to date	(3,312,767)	(3,351,632)	(3,887,041)	(3,887,041)	(4,125,931)	(4,237,425)	(4,253,979)	(4,381,982)	(4,381,982)	(5,198,796)
Available Balance	1,687,233	1,648,368	1,112,959	1,112,959	874,069	762,575	746,021	618,018	618,018	(198,796)
Current month Expenditures	(63,175)	(38,865)	(535,409)	-	(238,890)	(111,494)	(16,553)	(128,004)	-	(816,814)

Benchmarks per development agreement

1/31//2006

Near Term Outlook

Construction of a sales area on the Property for the Primary Redevelopment Project
Is trailer completed?/Using other means?

Constructed and fully operational. **Benchmark Met**

n/a

Construction of at least (6) models representing the various residential units to be included in the Primary Redevelopment Project
How many models constructed?

Completed more than 6: 3 townhomes, 4-40' s. fam homes **(Benchmark met)**

n/a

Engagement in an aggressive marketing campaign for the Primary Redevelopment Project

Advertising from print ads in both the New Home Guide and the Florida Home Guide. The billboards are still in place sales center open. Full ads are running in the Miami Herald. **(Benchmark met)**

n/a

Execution and delivery of at least 150 purchase and sale contracts for the purchase of residential units in the Primary Redevelopment Area
Number of Purchase and Sale agreements

250 homes are sold as of 1/17/06 **(Benchmark met)**

n/a

Application of at least 150 building permits for residential units in the Primary Redevelopment Project
When will D.R. Horton submit permit application?
Number of Permit applications submitted

There are currently 817 permits applied for with 268 received and 549 pending **(Benchmark met)**

n/a

NCLA - 2/13/06
EXHIBIT

Resolution No. 2006-02

RESOLUTION OF THE NARANJA LAKES COMMUNITY REDEVELOPMENT AGENCY DECLARING THAT THE FIRST BENCHMARKS STIPULATED IN THE REDEVELOPMENT AGREEMENT WITH RESPECT TO THE NARANJA LAKES RESIDENTIAL DEVELOPMENT HAVE BEEN MET BY THE DEVELOPER; AFFIRMING CURRENT BUDGET ALLOWS THE USE OF TAX INCREMENT REVENUES FOR COST OF CONSTRUCTION; REQUESTING THAT THE COUNTY BORROW AN ADDITIONAL \$5,000,000 ON ITS BEHALF FROM THE SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION FOR THE COMPLETION OF PHASE 1; AGREEING TO REPAY THE COUNTY FROM TAX INCREMENT REVENUES; AND REAFFIRMING INTENT TO ISSUE TAX INCREMENT REVENUE BONDS TO RETIRE COUNTY LOANS

WHEREAS, Miami-Dade County ("County"), the Naranja Lakes Community Redevelopment Agency ("CRA"), and Naranja Lakes Construction LLC ("Developer") entered into a development agreement ("Development Agreement") with respect to the construction of certain infrastructure improvements ("Improvements") to be built in two phases as part of the Naranja Lakes residential development located within the Naranja Lakes Community Redevelopment District ("District"); and

WHEREAS, the County agreed to assist the CRA in financing the cost of the Improvements by pledging certain of its credit to secure loans on behalf of the CRA until the tax increment revenues generated within the District are sufficient to pay principal and interest on tax increment bonds to be issued by the CRA to refund the loans and finance the construction of the Improvements; and

WHEREAS, the County has previously borrowed \$5,000,000 ("First Loan") from the Sunshine State Governmental Financing Commission ("Sunshine Commission") to fund a portion of Phase 1; and

WHEREAS, substantially all of the proceeds of the First Loan have been spent resulting in a need for additional financing in an amount of \$5,000,000 ("Second Loan") from the Sunshine Commission to complete Phase 1; and

WHEREAS, the Development Agreement sets out certain benchmarks which have to be met before the County will secure additional financing; and

WHEREAS, the Board wishes to make a finding for the benefit of the County that the first benchmarks set forth in the Redevelopment Agreement have been met by the Developer and therefore, requests that the County proceed with securing the Second Loan; and

WHEREAS, since there are outstanding invoices at this time and the proceeds of the Second Loan will not be available for a few months, the Board desires to affirm that unallocated fund balances exist in its 2005-2006 approved budget, and desires to make such fund balances which are derived from tax increment revenues available to pay any outstanding costs with respect to the Improvements; and

NLCRA-2/13/06
EXHIBIT

WHEREAS, the Board desires to reaffirm its intentions to repay any and all loans secured by the County on its behalf from the proceeds of tax increment revenue bonds as soon as it is economically feasible to issue the bonds,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE NARANJA LAKES COMMUNITY REDEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Board finds that the benchmarks set forth in Exhibit A have been met based on the letter from D.R. Horton attached as Exhibit "B" and letter from Engineer John Ritsema, project manager for the CRA, attached as Exhibit "C".

Section 2. The Board affirms the availability of unallocated fund balances in its approved budget for Fiscal Year 2005-2006, and authorizes the expenditure of un-appropriated fund balances to pay for construction invoices or repay the County for advances, pending the availability of the proceeds of the Second Loan (\$5,000,000).

Section 3. The Board requests that the County take all action to secure as soon as practicable the Second Loan from the Sunshine Commission to be used to complete Phase 1 of the Improvements and that the Second Loan be amortized with respect to principal and interest, commencing in Fiscal Year 2006-2007.

Section 4 The Board reaffirms its desire to issue tax increment revenue bonds as soon as it is economically feasible in order to retire the First and Second Loans and any other future loans or advances by the County.

Section 5. This Resolution shall be effective immediately upon adoption.

Motion to adopt by _____, seconded by _____.

Final Vote at Adoption:

	Yes	No
Chairperson, "Nina" Betancourt	_____	_____
Commissioner Stuart Archer	_____	_____
Commissioner Kenneth Forbes	_____	_____
Commissioner Rene Infante	_____	_____
Commissioner Daniel Lipe	_____	_____
Commissioner Parsuram Ramkissoon	_____	_____

PASSED and ADOPTED this 13th day of February 2006.

GAIL "NINA" BETANCOURT
CHAIRPERSON

ATTEST:

_____, Board Member

APPROVED AS TO LEGAL SUFFICIENCY _____, Assistant County Attorney

EXHIBIT A

Redevelopment Agreement:

Section 2.02. Obligation of Owner.

(b): Without limiting the Owner's obligations set forth in Section 2.02(a) above, the Owner agrees as follows:

- (i) Upon the later to occur of six (6) months following the commencement of construction of Phase I of the CRA Project (as evidenced by the issuance of a building permit of any portion thereof) or the payment by the County or the CRA the Developer of an amount equal to Five Million and 00/100 Dollars (\$5,000,000) towards the development of Phase I of the CRA Project, the Owner shall have performed or caused the Developer or third party entities to have performed or caused the Developer or third party entities to have performed the following:
 - 1. Construction of a sales area on the Property for the Primary Redevelopment Project.
 - 2. Construction of at least six (6) models representing the various residential units to be included in the Primary Redevelopment Project.
 - 3. Engagement in an aggressive marketing campaign for the Primary Redevelopment Project.
 - 4. Execution and delivery of at least one hundred fifty (150) purchase and sale contracts for the purchase of residential units in the Primary Redevelopment Project.
 - 5. Application for at least one hundred fifty (150) building permits for residential units in the Primary Redevelopment Project.

The foregoing shall be a condition precedent to the County or the CRA's obligation to fund the development of the remainder of Phase I of the CRA Project. Neither the County nor the CRA shall be obligated to for costs expended for Phase I of the CRA Project in excess of Five Million and 00/100 Dollars (\$5,000,000) until the foregoing conditions precedent are satisfied.

- (ii) Upon the later to occur of twelve (12) months following the commencement of construction of Phase I of the CRA Project (as evidenced by the issuance of a remainder of the GMP for Phase I of the CRA Project, the Owner shall have performed or caused the Developer or third party entities to have performed the following:
 - 1. Completion of all items set forth in Section 2.02(b)(i) above.
 - 2. The issuance of at least one hundred fifty (150) certifies of occupancy for residential units in the Primary Redevelopment Project.
 - 3. Application for at least two hundred (200) building permits for residential units in the Primary Redevelopment Project. This requirement is in addition to the one hundred fifty (150) building permits required by Section 2.02(b)(i)(5) above.

LEONARD S. ANTHONY
116 NW 15th Street
Homestead, FL 33030

Phone and FAX: Home 305 245 7011
Cell 305 496 5813

1 February 2006

SUBJECT: NLCRA FDOT ISSUES

TO: ALBERTO GONZALEZ

1. Attached is the Memorandum I created after the January 12, 2006 meeting in the Naranja Lakes Winn-Dixie Shopping Center. I had previously shared this memo with Ken Forbes and Ram Parsuram.

2. On December 1, 2006, at the invitation of FDOT (Florida Department of Transportation), I attended a public hearing in the West Kendall Regional Library Auditorium, 10201 Hammock Boulevard, in Kendall.

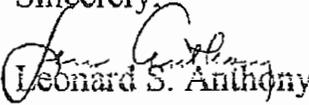
3. Although the meeting concerned FDOT activities more general in scope and application than the area of the CRA, there are several impacts that may have some relevance to the CRA activities, such as 'ramp signaling', (N.B. there are several on and off ramps onto or off the IHEFT (Homestead Extension of the Turnpike) on the eastern boundary of the CRA area. Similarly, modifications to the IHEFT and other major arteries (e.g. widening of Krome Avenue, U.S. #1 to the Keys, etc. are near or pass through the CRA area and may have an impact.

NLCRA - 2/13/06
EXHIBIT

4. I received these brochures/ documents at the meeting:
- a. Ramp Signaling
 - b. Tentative Five-Year Plan (for Monroe County)
 - c. Tentative Five-Year Plan (for Miami-Dade County)
 - d. N.W. 25th Street Transportation Corridor Improvements,
- and
- e. Florida's Turnpike Enterprise., all of which may have some elements of impact on the CRA area.

5. I would suggest your prepared resolution for the NL CRA adoption might mention the archiving of the above documents along with the 2007 resurfacing program for U.S. #1 from 264 Street south to 304 Street. Of special interest might be the implication(s) of the recent resignation of the Department of Water and Sewer Director (Brant), especially as it relates to the incomplete status of design for these utilities in the distance mentioned. (See Anthony memo mentioned in the first paragraph).

6. I apologize for the delay in getting this information to you, but I am currently engaged in relocating from my former address to that noted above. I am available to meet with you whenever you might have the time.

Sincerely,

Leonard S. Anthony

Atch. a/s in memo

Cc. Ken Forbes via Fax

LEONARD S. ANTHONY
116 NW 15TH STREET
HOMESTEAD, FL 33030

January 20, 2006

SUBJECT: S.R. #5/U.S. #1 Improvements

Florida Department of Transportation (FDOT) sponsored, through the Naranja Businesses Association, a community briefing/meeting at 5:00 PM on January 12, 2006, at the Revelation Markets in the Winn Dixie Shopping Center of Naranja Lakes. The meeting was announced in the Miami Herald but was sparsely attended.

The undersigned acted as moderator at the suggestion of Ken Forbes, a member of the Board of Directors of the Naranja Lakes Community Redevelopment Agency.

FDOT representatives in attendance included:

Adrianna Manzanares, Project Manager
Alicia Gonzalez, Staff
Oscar Gonzalez, Staff
Samuel Gonzalez, Consultant, Reynolds, Smith, and Hill, P.A.

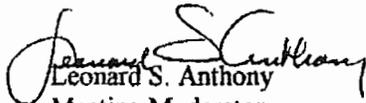
There was a short video presentation by Sam Gonzalez and then the audience was permitted to ask questions, make comments, etc. Some are summarized as follows:

1. Mr. S Archer commented that the more northerly portion of this road project, completed in the recent past several years, had evoked comments, especially from drivers of larger vehicles, particularly trucks, have complained that the 'high' curbs of the combined curbs and gutters have caused tire damage when they are 'mounted' during turning operations, etc. Samuel Gonzalez responded that the incorporated design complied with FDOT standard criteria, and would be duplicated in the proposed Year 2007 construction project. Mr. Archer also acknowledged and endorsed the inclusion of a proposed third lane in both directions of the highway as a future need. N.B. There is a proposed future Year FDOT Lane widening project.
2. The following issues were also 'tabled':
 - a. This project is scheduled for mid-2007 construction by two (to be yet selected) contractors working from towards the middle from north and south. The project is to extend/cover road areas from near SW 266th Street to SW 304 Street.

- b. Because the project is in the future, it was suggested and decided by the group that a copy of all related drawings (including median strip utilities) should be put on permanent display/storage at the local branch of the M-D County library opposite the Winn Dixie Shopping Center in Naranja Lakes. This will allow on-going review of the plans as concerns might be conceived. FDOT officials promised to do so. They also stated they would provide contact names and means for the responsible staff persons.
- c. It was noted that the landscaping designer had already changed some planter box planting (at pedestrian intersection crossings) from 'Crown of thorns' to some more 'people friendly' plants.
- d. During the visual/audio presentation, it was noted that an aerial electrical line had been shown on one of the slides showing new lighting standards that were said to be fed by underground lines. They will verify or change slide picture. It was also suggested that the community or other responsible agencies might want to correspond with the cable and phone companies in an attempt to bury the already existing lines on the west side of the highway.
- e. Traffic lights had not been removed or added. It was suggested that new ones might be appropriate at the intersections of 145 Avenue and SW 275 Street, (Naranja Lakes Blvd) as major entry points into the newly created Mandarin Lakes.
- f. Bus stop 'stop areas' off the highway had not been provided. The consultant stated that only one line (#35) would use the roadway and therefore was not considered necessary. It was posed that line #70 and other routings might use the highway instead of the BUS WAY.
- g. Accident frequency 'stats' had been annotated on the plans for all intersections as part of the Access Management design. Stats ended with the year 2003. The consulting engineer stated that the stats for years 2004 and 2005 (which are available) would probably not change design in any meaningful way. The source/basis for this opinion may appear questionable.
- h. The Utilities (Water and Sewer) are a separate, but included, part of the design. Miami-Dade County has this responsibility. A contact name was promised to possibly influence the design. Water is currently shown for only the distance from 266 Street to 288 Street. None is shown down to 304 Street. No sewer lines are shown at all. No laterals for any connections are shown. This is a major deficiency.

3. Many of the listed deficiencies may have negative considerations for many developments within the area designated as the Community Redevelopment Area.
4. Those in attendance were exhorted to identify their concerns about omissions and/or deficiencies and relay them, using the format on the attached sheet so that their concerns might be addressed. The NLCRA might also feel the need to do similarly.

Respectfully submitted,


Leonard S. Anthony
Meeting Moderator

Atch: Meeting Notice
Comment Sheet
CC: Fax to Ken Forbes

**S.R.5/U.S.1
FROM SW 304TH STREET TO 350-FEET
NORTH OF SW 266TH STREET
ROADWAY IMPROVEMENT PROJECT**



The Florida Department of Transportation (FDOT) is currently working on plans for S.R.5/U.S.1 Roadway Improvement Project. This project is part of a comprehensive plan that once completed, will enhance safety and improve traffic flow along U.S. 1 from SW 304th Street to 350-Feet north of SW 266th Street. Construction on this project is scheduled to begin in the fall of 2007.

PROPOSED IMPROVEMENTS INCLUDE:

- Construction of curb and gutter, and access management improvements
- Resurfacing and reconstruction of the existing roadway
- A new sidewalk in the southbound direction of travel
- Sidewalks and curb ramps constructed to meet Americans with Disabilities requirements
- Improving the drainage system, signals, signage and pavement markings
- Widening of the C-103 Bridge and C-103N Bridge to accommodate new sidewalks
- Roadway lighting and landscaping enhancements

PROJECT'S PURPOSE:

This project is being designed to meet current FDOT design criteria, access management improvements and ADA requirements. The improvements will extend the life of the existing road and enhance safety for motorists and pedestrians.

TRAFFIC IMPACT:

FDOT has developed a Traffic Control Plan (TCP) to minimize the impact to the traveling motorists, residents and businesses throughout the project area during construction. Access to all businesses will be maintained throughout the construction period. Lane closures will be scheduled to occur during non-peak traffic hours.

FOR MORE INFORMATION:

If you would like to learn more about this project, please contact:

Adriana Manzanares, Project Manager
Florida Department of Transportation
1000 NW 111th Avenue
Miami, Florida 33172
305.470.5283

ATCH 1

